




Inter Departmental Memorandum

TO: The Honorable City Council

REVIEWED: Ronald H. Williams, Jr. Deputy City Manager

FROM: George M. Homewood, AICP, CFM, Director, Department of City Planning 

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SUBJECT: Rezoning from R-8 (Single-Family) to Conditional R-9 (Single-Family) – 1345 Melrose Parkway – Jon Rizzo

DATE: January 22, 2016

On the January 26, 2016 public hearing agenda, City Council will be reviewing a request to rezone the property located at 1345 Melrose Parkway from R-8 (Single-Family) to Conditional R-9 (Single-Family). This site is located within the Larchmont/Edgewater neighborhood, near the northeast corner of Melrose Parkway and Quarantine Road. While the City Planning Commission unanimously recommends approval, Staff had recommended and continues to recommend denial.

The site is currently zoned R-8 which requires a minimum lot width of 50 feet and a minimum lot size of 5,000 square feet. Approval of the rezoning to R-9 would allow the applicant to resubdivide the existing 90 foot wide lot into two lots, each with approximately 45 feet in width with less than 5,000 square feet in lot area per lot.

Melrose Parkway is located one block north of Old Dominion University. The 1300-1500 blocks of Melrose Parkway (Bluestone Avenue to Powhatan Avenue) consists of 68 single-family homes and several nonconforming duplexes and multi-family dwellings. Of the single-family homes, 57 percent are likely not owner-occupied, according to City Real Estate records which show property tax bills having different a mailing address than the address of the homes.

Larchmont/Edgewater is an historic neighborhood which is eligible for designation on both the National and Virginia Registers of Historic Places and there are some individual home within the neighborhood that are individually eligible for consideration. It is very much not yet a neighborhood in transition; however, it has begun suffering the effects of its proximity to Old Dominion University with its

burgeoning enrollment that exceeds its dormitory capacity—the high percentage of rental properties attests to this. The proposed development will result in two new lots being smaller than the majority of lots in the neighborhood.

Where a neighborhood is relatively stable and there is a desire to keep it that way, good planning practice suggests that the existing pattern be protected and preserved and that introducing either a lot pattern or a building type which is out of character with the existing pattern can contribute to future instability. Consequently, staff prepares a Lot-Pattern Analysis to determine if there is a predominant character within the neighborhood within which a rezoning is proposed. For this proposal, the analysis shows the following range of residential lot sizes and their percentages within the area:

Lot Pattern Analysis (R-8 to R-9)

Lot-Size Range	Within 1,000 feet radius		Along same block (Melrose Parkway)	
	Number	Percentage	Number	Percentage
Lots in character with the proposal or smaller (Less than 50 ft. in width, or less than 5,000 sq. ft.)	30	18%	27	29%
Lots in character with the existing R-8 zoning (Greater than or equal to 50 ft. in width, and greater than or equal to 5,000 sq. ft. of lot area)	139	82%	66	71%

In this case, the character is overwhelming and this proposal would result in lots 10% narrower than the clear majority. While there are ways to ameliorate the appearance of narrower lots through the administrative design review process, Staff remains concerned that the additional dwellings units will be located directly adjacent to Old Dominion University and, in spite of the developer's stated best intentions of having owner-occupied homes, the units appear likely to continue ultimately the further encroachment of student housing into this single-family neighborhood. As the City has become aware, it is exceedingly difficult to maintain or enforce owner-occupancy where there is a strong market for student rentals. According to the Community Resource Officer for the Larchmont/Edgewater neighborhood, issues with the student renters have been associated with reoccurring complaints that are routinely processed by the City's Bureau of Neighborhood Quality as well as the Norfolk Police Department.

There is also the potential that in addition to the increased density and potential for more student housing encroachment, the homes constructed could be out of character with the surrounding community and thus have a negative visual impact on the neighborhood. Thus, the Planning Commission requested and the applicant agreed to condition the application with the requirement to obtain a zoning certificate through the administrative design review process, in order to help ensure that the proposed homes are compatible with the surrounding architectural character of the neighborhood.

For all of these reasons Staff recommends that the request for rezoning be **denied**.

Staff's recommendation of **denial** is based on the following criteria:

- The proposal is inconsistent with the City's adopted Future Land Use Map within *plaNorfolk2030*.
- Larchmont/Edgewater is not a neighborhood in transition; the lot pattern analysis shows the proposed lot sizes to be inappropriate for the neighborhood.
- The inability to ensure with any degree of certainty that the new homes will not increase the opportunities for more student housing with all the attendant concerns that arise from such housing within the neighborhood due to the close proximity to ODU.

After conducting a duly advertised public hearing on December 10, 2015, at which the applicant provided extended comments and responded to questions from Commissioners, the City Planning Commission voted **6 to 0** to recommend **approval** of the application.

The Planning Commission voted for **approval** based on the developer agreeing to obtain a zoning certificate from the City's Senior Neighborhood Design Specialist to ensure architectural compatibility with the other homes, and the applicant's promise that the homes would be owner-occupied.

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